

Message Text

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ACTION EB-06

INFO OCT-01 ARA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOT-00 INR-05 NSAE-00 RSC-01 FAA-00 L-02 NSC-05 SS-15

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R 161714Z NOV 74

FM AMEMBASSY LIMA

TO SECSTATE WASHDC 2768

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E.O. 11652: N/A

TAGS: EAIR, PE

SUBJECT: CIVAIR CONSULTATIONS - PERU

REF: LIMA 9595

1. AT FOURTH MEETING THURSDAY, PERU DEL PROPOSED COMPENSATION BE APPLIED ONLY ON BRANIFF'S FIFTH FREEDOM SEGMENTS WHERE AEROPERU DID NOT PROVIDE SERVICE, THUS IN EFFECT TURNING AROUND USDEL'S SUGGESTION THAT CONCEPT OF COMPENSATING BENEFITS BE APPLIED ONLY ON DIFFERENTIAL BETWEEN BRANIFF'S AND AEROPERU'S COMPETITIVE THIRD COUNTRY SEGMENTS. WE DID NOT RESPOND TO THIS PROPOSAL BUT SPENT HOURS ATTEMPTING DISCOVER WHETHER GOP DEL COULD NEGOTIATE ANY CHANGES FROM OCTOBER 28 PERMIT. WE KEPT GETTING ANSWER THAT ANY ITEM COULD BE DISCUSSED, ACCOMPANIED BY QUESTION OF WHAT U.S. WOULD OFFER FOR PERUVIAN "CONCESSIONS". GOP DEL ALSO FINALLY SAID THAT IT MIGHT BE INTERESTED IN NEW YORK RIGHTS.

2. AT FIFTH MEETING FRIDAY MORNING, GOP DEL SUGGESTED AIRLINES TRY TO FIND SOLUTION, SUBJECT TO APPROVAL BY GOVERNMENTS. WE SAID IDEA HAD MERIT AND EVENTUALLY WORKED OUT FOLLOWING SCENARIO WHICH WILL BE INCORPORATED IN MEMCON TO BE SIGNED AT MEETING LATE FRIDAY AFTERNOON:

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A. DELEGATIONS WILL NAME WORKING GROUP FORMALLY CHAIRED

BY GOVERNMENT REPS (EMBOFF FOR U.S.) WITH BRANIFF AND AEROPERU ADVISORS.

B. WORKING GROUP (I.E. AIRLINES) WILL DISCUSS BRANIFF FREQUENCIES, THIRD/FOURTH FREEDOM ACCESS, CAPACITY REGULATION, AND COMPENSATING BENEFITS AND REPORT TO PLENARY DELEGATIONS WHICH WILL RESUME CONSULTATIONS IN LIMA ON JANUARY 6.

C. BRANIFF WILL APPLY FOR EXTENSION OF THE 45 DAY TIME PERIODS SPECIFIED IN OCTOBER 28 PERMIT UNTIL JANUARY 31, 1954 OR, IF INTERGOVERNMENTAL AGREEMENT REACHED BY THAT DATE, UNTIL NEW PERMIT ISSUED INCORPORATING PROVISIONS THAT AGREEMENT. GOP DEL WILL RECOMMEND TO ITS GOVERNMENT THAT THIS APPLICATION BE EXPEDITED AND APPROVED. (EXISTING PERMIT GIVES BRANIFF 45 DAYS TO REDUCE MIAMI-LIMA FREQUENCIES AND FREQUENCIES SOUTH OF LIMA. SINCE ONLY WORKING DAYS COUNTED, 45 DAYS TERMINATES JANUARY 7.)

4. FOREGOING SCENARIO ACCEPTED ONLY AFTER USDEL SAID IT COULD NOT RESUME TALKS BEFORE JANUARY 6 AND THAT IT WOULD NOT DO SO THEN IF IT DID NOT HAVE ADEQUATE ASSURANCES FROM GOP THAT AX WOULD NOT FALL ON JANUARY 7.
DEAN

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